

Applicant: Hayao Yamaura
Appl. No.: 10/768,714

REMARKS

Applicant thanks the Examiner for the careful consideration of this application. Claims 2-5 are currently pending. Claim 1 has been cancelled, without prejudice, and replaced with new independent claim 5. Claims 2-4 have been amended. Based on the foregoing amendments and the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-4 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The rejection apparently focused on independent claim 1. Claim 1 has been cancelled, without prejudice, and replaced with new independent claim 5, thereby rendering this rejection moot.

Claim Rejections Under 35 U.S.C. § 102

The Office Action rejected claims 1-4 under 35 U.S.C. § 102(b) as allegedly being anticipated by German Reference DE 39 41 935 (hereinafter “DE ’935”). As stated above, claim 1 has been cancelled, without prejudice, and replaced with new independent claim 5.

Independent claim 5 recites, *inter alia*, “a clamp lever body comprising third and fourth arms defining an opening, each of the third and fourth arms having an end part rotatably jointed to the second joint leg; wherein two or more frames located between the first and second clamp legs are pressed against each other while the opening in the clamp lever body is engaged by the outer shoulder cam surface on the first clamp arm.” DE ’935 does not appear to disclose “a

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clamp lever body comprising third and fourth arms defining an opening,” as claimed. Nor does DE ’935 appear to disclose an “opening in the clamp lever body [that] is engaged by the outer shoulder cam surface on the first clamp arm.” In contrast, DE ’935 discloses a chucking wedge 3 rotatably mounted to a free end of a bearing arm 4 provided on one of the clamping jaws 1. The chucking wedge 3 can engage the other clamping jaw 2 to tension the lock. (*See, e.g.*, DE ’935 at Abstract, Fig. 1.) The chucking wedge 3 does not include “third and fourth arms defining an opening.” (*See, id.*, Fig. 1.) Nor does an “opening” in the chucking wedge 3 engage an “outer shoulder cam surface” on either of the jaws 1, 2. (*See, id.*)

Accordingly, the Applicant respectfully submits that independent claim 5 is patentable over DE ’935. Claims 2-4 have been amended to depend from claim 5, and are patentable for at least the same reasons.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

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Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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